

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-14 and 18 drawn to compounds of formula (I), classified in various subclasses of classes 540, 544, 546, 548, 549, etc.... If this group is elected, Applicants are requested to elect a single species for search purposes. For example, a compound of formula (I), wherein the compound of formula (1) is formula (a), wherein Ar1 and Ar2 are phenyl.

Group II: Claim 15 drawn to a drug containing a compound as recited in any one of Claims 1-14, classified in various subclasses of classes 540, 544, 546, 548, 549, etc.... If this group is elected, Applicants are requested to elect a single compound species for search purposes.

Group III: Claim 16 drawn to a preventative and/or therapeutic agent for ischemic diseases containing a compound as recited in any one of Claims 1-14, classified in various subclasses of classes 540, 544, 546, 548, 549, etc.... If this group is elected, applicants are requested to elect a single compound species and a single ischemic disease species for search purposes.

Group IV: Claim 17 drawn to a platelet aggregation inhibitor containing a compound as recited in any one of Claims 1-14, classified in various subclasses of classes 540, 544, 546, 548, 549, etc.... If this group is elected, Applicants are requested to elect a single compound species for search purposes.

Group V: Claims 19-21 drawn to a use of a compound as recited in any one of Claims 1-14, classified in various subclasses of classes 540, 544, 546, 548, 549, etc.... If this group is elected, Applicants are requested to elect a single compound species and a single use for search purposes.

Group VI: Claim 22 drawn to a method for treating ischemic diseases comprising a compound as recited in any one of Claims 1-14, classified in various subclasses of classes 540, 544, 546, 548, 549, etc.... If this group is elected, Applicants are requested to elect a single compound species and a single ischemic disease species for search purposes.

Applicants provisionally elect Group I, Claims 1-14 and 18, drawn to compounds of formula (I), with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the six groups.

Moreover, the MPEP at § 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

Additionally, Applicants elect the compound of formula (I), wherein the compound of formula I is formula (c) in which Ar1 and Ar2 are pyridinyl.

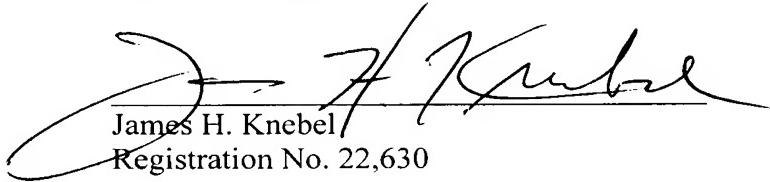
Finally, Applicants respectfully submit that, should the claims of Group I be found allowable, the Office should expand its search to the claims of Groups II-VI.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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